E. SUTTON/D.DAVIS

703 308 7924 RightFAX

@005 Page 006

CORRECTION OF PATENTS

1490

Approved for use through 10/3/90, OMB 0851-0031
Peters and Trademark Office; U.S. DEPARTMENT OF COMMERCE
for the Paperwork Reduction Act of 1995, no pareons are required to respond to a collection of Information unless it displays a valid CMB control number.

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE Docket Number (Optional) PATENTING REJECTION OVER A PENDING SECOND APPLICATION TOBINICK 3.0-011 EDWARD L. TOBINICK, M.D. In re Application of: 09/654,996 Application No. September 5, 2000 Filed: TNF MODULATORS FOR TREATING NEUROLOGICAL DISORDERS ASSOCIATED For. WITH VIRAL INFECTION The owner EDWARD L. TOBINICK, M. Of 100 percent Interest in the Instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/826,976 filed on April 5, 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Check either box 1 or 2 below, if appropriate. For aubmissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby deciare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful failue attributionts and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. 2 | X The undersigned is an attorney of record. 3/15/02 SUTTON Typed or printed name Terminal disclaimer fee under 37 CFR 1.20(d) is included. Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/S8/98 may be used for making this certification. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the moots of the individual case. Any comments on the amount of time you are required to complete this form should be cent to the Chief Information Officer, Patent and Tradement office. Weshington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

1400-61

E. SUTTON/D.DAVIS
703 308 7924 RightFAX

Page -804

1490

## MANUAL OF PATENT EXAMINING PROCEDURE

Approved for use through 10/31/89, CMB 6651. Patent and Tradement Office; U.S. DEPARTMENT OF CONNE Paperwork Reduction Act of 1985, no persons are required to respond to a collection of Information unless it displays a yellid CMB control ha			ice; U.S. DEPARTMENT OF COMMERCE
	AIMER TO OBVIATE A DO CTION OVER A PRIOR PA		Docket Number (Optional) TOBINICK 3.0-011(CI
In re Application of: Application No. Filed:	EDWARD 1. TOBIN 09/654,996 September 5, 20	V	
WITH VIRAL The owner, EL disclaims, except as p application, which we to 156 and 173, as pre owner hereby agreest such period that it and the instant application	rovided below, the terminal pull extend beyond the expiral sently shortened by any term hat any patent so granted on the prior patent are commonly and is binding upon the granted bove discipliner, the owner de	100 percent interest in 1 art of the statutory term of a statutory term of a statutor date of the full statutor inal discialmer, of prior Patrice instant application shall be by owned. This agreement intee, its successors or associated not discialing the terminal cost of the statutory of the statutory of the successors or associated not discialing the terminal cost of the statutory of the statu	the instant application hereby ny patent granted on the instant sytem defined in 35 U.S.C. 154 ant No6, 1, 7, 1, 2, 7,
154 to 156 and 173 oft expires for fallure to p jurisdiction, is statuto cancelled by a reexan its full statutory term a	he prior patent, as presently si ay a maintenance fee, is held thy disclaimed in whole or te nination certificate, is reissue as presently shortened by any	hortened by any terminal dis d unenforceable, is found i arminally disclaimed under d, or b in any manner term	idaimer, in the event that it later, invalid by a court of competent 37 CFR 1.321, has all claims instead prior to the expiration of
1. Forsubmission	? below, if appropriate. ons on behalf of an organizati .), the undersigned is empov	• • •	ership, university, government ne organization.
made on information a knowledge that willful under Section 1001 of	and belief are believed to be to false statements and the like	rue; and further that these s so made are punishable by Code and that such willfulfa	are true and that all statements statements were made with the vine or imprisonment, or both, lse statements may jeopardize
2. X The under	signed is an attorney of reco	Signature EZRA SUTTO	
Terminal disc	laimer fee under 37 CFR 1.2		
	37 CFR 3.73(b) is required if may be used for making this ca		by the assignee (owner).

Burdon Hour Statement: This form is estimated to take 0.2 hours to complete. Time will very depending upon the needs of the individual case. Any comments on the emount of time you are required to complete this form should be sent to the Chief information Officer, Passa and Trademan Office, Washington, DC 20231, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner to Passas and Manhington, DC 20231.

E. SUTTON/D.DAVIS
703 308 7924 RightFAX

超1004 Page 885

1490

## MANUAL OF PATENT EXAMINING PROCEDURE

		AIMER TO OBVIATE A DOUBLE PATENTING CTION OVER A PRIOR PATENT	TOBINICK 3.0-011(
	In re Application of: Application No. Filed:	EDWARD L. TOBINICK, M.D. 09/654,996 September 5, 2000	
EVALUE	WITH VIRAL The owner, E.C. disclaims, except as papilication, which we	NTORS FOR TREATING NEUROLOGICAL DISC INFECTION M.D. 100 MARD.LIOBINICK, 61percent interest to rovided below, the terminal part of the statutory term of uld extend beyond the expiration date of the full statut	n the instant application hereby fany patent granted on the instant tory term defined in 35 U.S.C. 154
TACCHET	owner hereby agrees to such period that it and	sently shortened by any terminal disclaimer, of prior P hat any patent so granted on the instant application shall the prior patent are commonly owned. This agreeme hand is binding upon the grantee, its successors or a	ibe enforceable only for and during intruns with any patent granted on
rule.	the instant application 154 to 156 and 173 of t explices for failure to p Jurisdiction, is exatuto	bove disclaimer, the owner does not disclaim the term that would extend to the expiration date of the full stat he prior patent, as presently shortened by any terminal ay a maintenance fee, is held unenforceable, is four rily disclaimed in whole or terminally disclaimed une	tutory term as defined in 35 U.S.C. disclaimer, in the event that it later: nd invalid by a court of competent der 37 CFR 1.321, has all claims
	its full statutory term a	nination certificate, is reissued, or is in any manner te is presently shortened by any terminal disclaimer. 2 below, if appropriate	rminated prior to the expiration of
		ons on behalf of an organization (e.g., corporation, pa .), the undersigned is empowered to act on behalf o	
	made on information a knowledge that willful under Section 1001 of	that all statements made herein of my own knowledge and belief are believed to be true; and further that thes false statements and the like so made are purishable Title 18 of the United States Code and that such willfu ication or any patent issued thereon.	se statements were made with the aby fine or imprisonment, or both,
	2. X The under	signed is an attorney of record.  Signat  EZRA SUT	
			d or printed name

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the emburid of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Tradement Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADORESS, SEND TO; Assistant Commissioner for Patents, Washington, DC 20231.

E. SUTTON/D.DAVIS
703 308 7924 RightFAX

ки от развительной развительно

PTO/SB/25 (10.96)

CORRECTION OF PATENTS

1490

Chair .	he Papervork Reduction Act of 1995, no persons are required to respond to a collection of information unless it	5, DEPARTMENT OF COMMERS displays a valid Class control numb
	TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION	Docket Number (Optional) TOBINICK 3.0-011
FEE VALUE ASCOUNTABLITY EPOSIT ACCOUNT I	In re Application of:  EDWARD L. TOBINICK, M.D.  Application No.  09/654,996  Filed:  September 5, 2000  For. TNF MODULATORS FOR TREATING NEUROLOGICAL DISORDERS A:  WITH VIRAL INFECTION  The owner, EDWARD L. TOBINICK, M. Dorigo percent interest in the in- disclaims, except as provided below, the terminal part of the statutory term of any particular, which would extend beyond the expiration date of the full statutory term of any particular as a shortened by any terminal disclaimer filed prior to the grant of any particular discretion Number 09/826,976 [Redon April 5, 2001] The any patents of granted on the instant application shall be enforceable only for and during patent granted on the second application are commonly owned. This agreement rules in the instant application and is binding upon the grantee, its successors or assign	SSOCIATED  Instant application hereby tent granted on the instant defined in 35 U.S.C. 154 to latent granted on pending elowner hereby agrees that ing such period that it and inswith any patent granted s.  I any patent granted on the selectioned in 35 U.S.C. 154
	prior to the patent grant, in the event that any such granted patent: expires for failure the held unenforceable, is found invalid by a court of competent jurisdiction, is statuted to the invalid disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination of its full statutory term as all disclaimer filed prior to its grant.  Chick either box 1 or 2 below, if appropriate.  1. For submissions on behalf of an organization (e.g., corporation, partnership, units to the patents of the p	to pay a maintenance fee, ity disclaimed in whole or on certificate, is reissued, nortened by any terminal
	etc.), the undersigned is empowered to act on behalf of the organization.  I hereby declare that all statements made herein of my own knowledge are true and information and belief are believed to be true; and further that these statements were made are punishable by fine or imprisonment, or be taken as the United States Code and that such willful false statements may jeopardize they any patent issued thereon.	ide with the knowledge that oth, under Section 1001 of
	The undersigned is an attorney of record.  Signature  EZRA SUTTON  Typed or prin	3/15/02 Date
	Terminal disclaimer fee under 37 CFR 1.20(d) is included.  *Centification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the	
1	Form PTO/SB/96 may be used for making this certification. See MPEP § 324.	<b>3</b> 100 (2 11 12

E. SUTTON/D.DAVIS

703 308 7924 RightFAX

2003 Page -884

1490

## MANUAL OF PATENT EXAMINING PROCEDURE

the Peperwork Reduction Act of 1995, no sens TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING Docket Number (Optional) REJECTION OVER A PRIOR PATENT TOBINICK 3.0-011(d EDWARD 1. TOBINICK, M.D. In re Application of: 09/654,996 Application No. September 5, 2000 Filed: For TNF MODULATORS FOR TREATING NEUROLOGICAL DISORDERS ASSOCIATED WITH VIRAL INFECTION M.D. 100
The owner, EDWARD.L....IOBINICK, 61.......percent interest in the instant application hereby discialins, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal discialmer, of prior Patent No. 0.2.4.4.2.2.7... The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for fallure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination contificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willfulfalse statements may jeopardize the validity of the application or any patent issued thereon. The undersigned is an attorney of record. Signature Date EZRA SUTTON Typed or printed name Terminal disclaimer fee under 37 CFR 1.20(d) included. "Certification under 37 CFR 3.73(b) is required if terminal discipliner is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification, See MPEP § 324.

Burdon Hour Statement: This form is continued to take 0.2 hours to complete. Time will very depending upon the mounts of the individual case. Any continents on the amount of time you are required to complete this form should be sent to the Ories from station Officer, Passet and Tradement Officer, Washington, DC 20221. OO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20221.

E. SUTTON/D.DAVIS

703 308 7924 RightFAX

2004 Page 885

1490

## MANUAL OF PATENT EXAMINING PROCEDURE

proved for use through 10/31/5 mark Office; U.S. DEPARTMEN Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unities it displays a valid CMB control number. TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING Docket Number (Optional) REJECTION OVER A PRIOR PATENT TOBINICK 3.0-011(CIP) EDWARD L. TOBINICK, M.D. In re Application of: 09/654,996 Application No. September 5, 2000 Flied: For THE MODULATORS FOR TREATING NEUROLOGICAL DISORDERS ASSOCIATED WITH VIRAL INFECTION disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. .5.1.015.1.015 . owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent Judsdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. The undersigned is an attorney of record. 3/15/\_02 Signature ZRA SUTTON Typed or printed name Terminal disclaimer fee under 37 CFR 1.20(d) included. \*Certification under 37 CFR 3,73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Burdon Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual open Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO; Assistant Commissioner to Patents, Washington, DC 20231.